

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

MINUTES OF THE REGULAR MEETING OF THE
FACULTY SENATE HELD ON DECEMBER 13, 1996,
IN THE ELLIOTT ROOM, UNIVERSITY CLUB,
MARVIN CENTER

The meeting was called to order by Vice President Lehman at 2:20 p.m. because of a delay in the President's arrival.

Present: President Trachtenberg, Vice President Lehman, Registrar Selinsky, Parliamentarian Keller; Deans Caress, Fowler, and Futrell; Professors Agnew, Boswell, Brewer, Captain, Castleberry, Elgart, Griffith, Gupta, Harrauld, Harrington, Kahn, Ludlow, Robinson, Seale, Silber, Slaby, Smith, Solomon, Vontress, Wirtz, Yezer, and Youens

Absent: Deans Friedenthal, Frieder, Harding, and Keimowitz; Professors Johnston, Kimmel, Pelzman, and Peroni

APPROVAL OF THE MINUTES

The Chair called for approval of the minutes of the regular meeting of November 15, 1996, as distributed. Professor Griffith moved that an ADDENDUM be added to the minutes on Page 8 following the discussion by the President of the acquisition of Mount Vernon College. He then read the following language to be added as a second paragraph on Page 8: "In response to questions about the University's obligations, in the 'worst-case scenario' that, even with our help, Mt. Vernon College were unable to sustain itself in its current configuration as a Women's College, the President stated that (a) with respect to the 19 faculty now tenured at Mt. Vernon, since the College remained a separate entity, GWU's obligation would not extend to offering them positions on the faculty here unless in particular cases it wished to do so; and (b) with respect to the recruitment of new students for the next few years, GW would be careful to refrain from promising them a right to complete their educations here, if the programs to which they were admitted cannot be sustained."* The motion was seconded. Professor Griffith explained that these issues had been addressed by President Trachtenberg at the November 15th meeting, but had not been included in the minutes. The question was called on the

*Vice President Bortz subsequently added the following note of clarification: "GW has agreed to provide at least one year of teach-out, or admission to GW, for students enrolled and in good standing on the date of any premature closure before July 1, 2000."

she said the Committee would be inviting a number of people to the Committee for information and comments, and by February the Committee planned to have its own WEB page.

- (2) APPOINTMENT, SALARY AND PROMOTION POLICIES COMMITTEE - Professor William B. Griffith, Chair. (Interim Report read by Professor Griffith is attached.)
- (3) RESEARCH COMMITTEE - Professor John R. Harrauld, Chair, reported that the Research Committee has met one time this fall, and for the first time in a few years, the Committee has the patent issue behind it and has had an opportunity to be more proactive. The Committee is going to focus on what the model and vision are to become a research institution and what the faculty needs to do to get there and to sustain that status.
- (4) PROFESSIONAL ETHICS AND ACADEMIC FREEDOM COMMITTEE - Professor Lilien F. Robinson, Chair. (Interim Report read by Professor Robinson is attached.)
- (5) JOINT COMMITTEE OF FACULTY AND STUDENTS - Professor Laura Youens, Faculty Co-Chair. (Interim Report submitted by Professor Youens is attached.)
- (6) PHYSICAL FACILITIES COMMITTEE - Professor Gregory Ludlow, Chair. (Interim Report submitted by Professor Ludlow is attached.)
- (7) ADMISSIONS POLICY, STUDENT FINANCIAL AID AND ENROLLMENT MANAGEMENT COMMITTEE - Professor Anthony Yezer, Chair. (Interim Report submitted by Professor Yezer is attached.)
- (8) ATHLETICS AND RECREATION COMMITTEE - Professor David Silber, Chair. (Interim Report submitted by Professor Silber is attached.)
- (9) HONORS AND ACADEMIC CONVOCATIONS COMMITTEE - Professor Michael Castleberry, Chair. (Interim Report submitted by Professor Castleberry is attached.)
- (10) LIBRARIES COMMITTEE - Professor Keith E. Smith, Chair. (Interim Report submitted by Professor Smith is attached.)

No Interim Reports were received from the Committees on Administrative Matters as They Affect the Faculty; Educational Policy; Faculty Development and Support; and Fiscal Planning and Budgeting.

Professor Vontress, referring to the Interim Report of the Athletics and Recreation Committee, noted that for 1994 the

to the hospital. We will no longer maintain as large a personnel office because we will no longer be hiring people for the hospital. But we are not likely to do away with 100% of the activities, a portion of which was covered by the overhead from the hospital, and those costs will continue, notwithstanding the fact that the hospital is no longer bringing income into the University budget. Therefore, there will have to be some modest downsizing, he said.

Professor Silber asked what happened to the offset of the large losses which presumably the hospital experienced every year for the past few years, and the President replied that those losses did not come over to the University as they were internal losses as a separate budget. He explained that the non-medical side of the University has never been taxed for the melancholy events at the medical side of the University. They have only been the beneficiary of the \$5 million a year which came to the University to offset the expenses of certain aspects of the University that were arguably appropriate to cost over the entire part of the University.

Professor Yezer pointed out that for public relations purposes, or for faculty purposes, it might be good to explain that the University's sale of the hospital is a service to the faculty who are involved with the hospital, as well as the people of the District who will have a first-rate hospital to go to. If the University had been absolutely ruthless, it could have ceased hospital operations and retained the real estate as an asset, which is a fairly valuable asset for another use, and presumably that would have increased the net worth of the corporation. But the University chose to continue the operations of the hospital. Professor Yezer said that he did not think we were giving ourselves any credit for that and he hoped that in the future we would. President Trachtenberg pointed out that the University is working with law firms, public relations firms, and lobbyists to try to develop as rational and forthright a presentation as possible to obtain a Certificate of Need from the City Council, but since we now have new partners, OrNda and Tenet, we have to be certain that they are content before we release any statements.

Professor Griffith asked if there is a default time in the contract in terms of getting the Certificate of Need by a date certain. Professor Elgart explained that the City Council has to respond within a certain number of days. Part of the problem, he said, is that we are being bought by OrNda, which is being bought by Tenet. The question is, whether we want to go to the DC government once with OrNda and a month later with Tenet, or try to do both with a single application. Secondly, Professor Elgart said that there are a lot of politics involved in this undertaking. Clearly there are hospitals who would rather see us fail because

ADDENDUM TO THE MINUTES OF THE FACULTY SENATE MEETING
Nov. 15, 1996

To be added at end of discussion by President of the acquisition of Mt. Vernon College, page 8:

"In response to questions about the University's obligations, in the "worst-case scenario" that, even with our help, Mt. Vernon College were unable to sustain itself in its current configuration as a Women's College, the President stated that (a) with respect to the 19 faculty now tenured at Mt. Vernon, since the College remained a separate entity, GWU's obligation would not extend to offering them positions on the faculty here unless in particular cases it wished to do so; and (b) with respect to the recruitment of new students for the next few years, GW would be careful to refrain from promising them a right to complete their educations here, if the programs to which they were admitted cannot be sustained."*

***Vice President Bortz subsequently added the following note of clarification:**

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PROFESSIONAL ETHICS AND ACADEMIC FREEDOM

INTERIM REPORT

The Professional Ethics and Academic Freedom Committee has met four times during the Fall 1996 semester.

The Committee produced two resolutions: a revised resolution on the faculty role in the reappointment of administrators with academic responsibilities and addition of language to the Faculty Code prohibiting discrimination on the basis of sexual orientation.

In the case of the first resolution, the Committee revised a resolution submitted to the Executive Committee in April 1996. The resolution was returned by the Executive Committee with recommendations. Pursuant to the accommodation of these recommendations, the PEAFC Committee submitted a revised resolution. The latter has also been returned to Committee with a request that additional data accompany the resolution if resubmitted. That information is now been gathered and the PEAFC Committee intends to resubmit its resolution in January.

The University's office of legal affairs was consulted with respect to the second resolution, drafted in response to a request of the Executive Committee for Faculty Code language for the section on discrimination. The PEAFC Committee has now been advised by legal counsel that the language currently in the Faculty Code is sufficient as it does cover the prohibition of discrimination on the basis of sexual orientation.

The PEAFC Committee, at the request of the Executive Committee, is also examining the matter of "tenure by default" and the inclusion of language to the Faculty Code addressing the matter.

Members of the PEAFC Committee are also serving on the following special Committees: Conflict of Interest, School of Public Health, relationship of salary and tenure, revision of the University's grievance process, and the proposed MA in Computational Sciences.

John A. Ramo

**PHYSICAL FACILITIES COMMITTEE
FACULTY SENATE
FALL 1996**

INTERIM REPORT

The Committee on Physical Facilities met twice during the Fall semester 1996. Responding to the charge of the Senate for 1996-7, the Committee's major item of business at its first meeting of October 21 was to review the Executive Summary of the Space Utilization Plan. Dr. Sharon Rodgers, Associate Vice-President for Academic Affairs, was invited to report to the Committee on a) the current developments of the Plan. These included the Human Resources Services; the Marvin Center; Student Lounges in the Gelman Library; the demolition of Building N; the new dormitory and the refurbishing of Lisner and Stuart Halls. b) future projects. These concerned the construction of the Health and Wellness and Media and Public Affairs Buildings; the remodelling of the 6th and 7th floors of the Gelman Library; the relocation of the Anthropology Department; and the installation of a Center for Human Origins.

Dr. Rodgers stated that the primary objective of the last several years has been to group related fields of study in the same building e.g. the Humanities in the Academic Center and the Social Sciences in Fungler Hall. This is in conformity with certain of the objectives of the 1993 Space Utilization Study, forwarded to the Committee, namely, "wholeness of a department" and "identity for the Schools" (Preface, p.i).

In answer to questions from members, the Committee was informed that the new student Residence was slated to be completed by Spring 1997, that the German-Slavic Department was scheduled to move back into the Academic Center with the other language departments, though no firm date had been set, and that funding for repairs and the maintenance process for the structural weaknesses of the Art Department's Smith Hall of Art, outlined in memos from Professor Lilien Robinson to the administration, would be best addressed by Dr. Alan Ingle, Associate Vice-President for Business Affairs and Chair of the Capital Facilities Planning Process. The Committee agreed to follow up on Dr. Rodgers's suggestion and invite Dr. Ingle to address this issue at its next meeting. The Committee was then graciously given a tour by Dr. Rodgers of the refurbished facilities in Lisner and Stuart Halls and was very favorably impressed.

At its second meeting of November 25, the invited speaker, Dr. Ingle, addressed the following issues: 1) Financing and handling of repairs and renovations in departments 2) GWU-Mount Vernon College arrangements 3) Future Capital Projects. In answer to the first issue, specifically pertaining to the structural deterioration of the Smith Art Center and its potential health hazards to students and faculty alike, Dr. Ingle stated that an outside consultant had examined the terraces and concluded that they were not a critical risk, although serious, and had recommended procedures to stabilize them. These would take place in the Spring. The roof in the projection room had been repaired and the leaks

December 13, 1996

TO: John G. Boswell, Chair
Executive Committee of the Faculty Senate

FROM: Anthony Yezer, Chair *AY*
Committee on Admissions Policy, Student Financial Aid & Enrollment Management

RE: Interim Report of the Committee

The Committee is considering the following four issues:

- 1) how to report admissions and financial aid data in a form appropriate for answering faculty questions;.
- 2) why enrollment projections sometimes differ from actual enrollment numbers;
- 3) falling enrollment in M.A. degree programs; and
- 4) the (anticipated) strategic plan for enrollment that has been under development for some period of time.

The third issue was just brought to the attention of the faculty by the most recent report of the Academic Vice President and may be part of the fourth issue.

The Committee has received no feedback on its report on the "Richie Parker" admissions issue or on its call for more faculty participation in undergraduate admissions in some schools, particularly the Columbian School of Arts and Sciences.



DEPARTMENT OF TEACHER PREPARATION AND SPECIAL EDUCATION

2 December 1996

TO: John G. Boswell, Chair
Executive Committee
Faculty Senate

FROM: Michael Castleberry, Chair
Honors and Academic Convocations Committee

RE: Committee Report

The Honors and Academic Convocations Committee met twice during the fall semester, has one subcommittee at work, and has a third meeting of the full committee scheduled for 14 January 1997. The first meeting of the committee involved the review and consideration of honorary degree recipient nominees; this work was completed and the nominations forwarded to the President. The committee established a working agenda for 1996-97 and met again on 12 November 1996 to review the process by which the committee selects honorary degree nominees and the working relationship between faculty and administration in university convocation planning. A subcommittee was established to facilitate nominee review and evaluate the method of background information gathering. The intent of the committee is to establish an updated missions statement for the committee, an updated timeline for the annual work of the committee, and written procedures regarding the role of faculty input and involvement in university convocations. It is anticipated that this work will carry over to the Spring term but should be completed before the end of the academic year.

I would just like to say a few words regarding the much aired issue of tenure. Particularly, I want to reply to both the remarks made by the Chair of the Executive Committee, Dr. Boswell, at the recent Faculty Assembly and to the numerous and voluminous written statements and taped conversations of President Trachtenberg.

It is currently fashionable to portray University Faculty with tenure as an anachronism which is holding back the development of universities. The institution of tenure itself is seen as providing safe haven for the lazy and incompetent. Furthermore, while it is avowed that while tenure may have been essential in the past when university faculty were in danger of losing their jobs if they spoke out, this is no longer relevant. Academic freedom, so the argument goes, is ensured and all is well in the Ivory Tower. If it were not for the disappearance of the mandatory retirement age, Boards of Trustees would not be so concerned apparently. The specter of ninety year old fossils holding forth to bored students with material planned and presented fifty or more years ago and hardly modified since is continuously raised.

With regard to the argument that the Academic Freedom tenure affords is no longer necessary as every one can speak his/her mind without fear of reprisal, it must be recognized that here in the United States the employer has the right to hire and let go employees more or less at will without regard to the individual employee's needs and expectations. If the individual is not supported by an organization with some weight, e.g. a union, there is no recourse for him if the worst should happen, no resources are at his disposal to counteract those brought against him by the employer. Speaking one's mind is a privilege and a responsibility which faculty have always taken as part and parcel of the job. None of us, myself included, would be nearly so ready to take up the mantel of martyrdom if we were not protected by the tenure system. I do not wish to imply by this that I am in any way criticizing the current benign administration or Board. It is simply so. Clearly, the university and the world at large would be worse off if this situation pertained. None of us knows what turn society may take in the future. Who would have thought that Senator Joe McCarthy could have flourished for so long in such a democratic country as the United States? Wasn't the tenure system absolutely critical during those disgraceful times? Who is so brave, or foolhardy, to suggest that such times could not come again? None of us here, faculty, administration or Board surely.

Suggestions have been made by some outside the system to modify the tenure contract, the idea being that modification will save it. Short term renewable contracts, longer single term contracts and other variations on this theme have all been proposed. Even a proposal to end tenure to save it has been proposed! Notice that the overriding concept is salvation. All of these proposals are based on the one untested premise, namely that with the passing of the mandatory retirement age the university will have a long term problem.

REPORT OF THE EXECUTIVE COMMITTEE
DECEMBER 13, 1996
JOHN G. BOSWELL, CHAIR

I. ELECTION OF FACULTY SENATE MEMBERS FOR THE 1997-98 SESSION

A memorandum from the Executive Committee was sent to the Deans recently regarding election of members of the Faculty Senate from their respective schools. The Faculty Organization Plan requires that these elections take place prior to March 15, and the Executive Committee has requested that the results be transmitted prior to that date so that the organization of the Senate for the 1997 session can be accomplished. We would express the hope that you might find the opportunity to ask your administrators if this is on the agenda for their next meeting.

II. PROPOSED COMPUTATIONAL SCIENCES PROGRAM

Some of you are aware that faculty from several departments have been working together to put together an across-department program in Computational Sciences. And this has now been accomplished, and Vice President Lehman has referred this matter to the Executive Committee which has passed it on to Professional Ethics and Academic Freedom Committee and the Appointment, Salary and Promotion Policies, for review and recommendations. As you know any time a faculty member steps across the department's bounds, we are in completely uncharted territory. So we're expecting guidance on this issue. from Professors Robinson and Griffith.

III. 1996 RECODIFICATION OF THE FACULTY CODE

The 1996 Faculty Code has been published and is being distributed to the Faculty of the University. You should all have a copy. Since I think the cover is a splendid one, I will give credit to the person who selected the design, the Chairman of our Art Department, Professor Robinson.

IV. ANNOUNCEMENTS

The next meeting of the Executive Committee is scheduled for Friday, December 20th, to plan the agenda for our January 17th meeting. Any items of business that you would like to have the Executive Committee consider, please let us know at your earliest convenience.

Best wishes to everyone for the Holiday Season and the New Year.